IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 2216 OF 1991

Anjani Commercial Corporation
& Anr. ... Plaintiffs

Vs.

Korea Tonghae Shipping Co.
through their Agents
M/s. Galaxy Multimodal Systems Pvt.Ltd.Defendants

Ms. A.B.Barwe for Plaintiffs.
None for defendants.

CORAM: S.K.SHAH,J.

DATE : 29th June,2006.

P.C.

1. The suit is undefended.

2. The Plaintiffs filed the suit for recovery of Rs.3,88,902/- with interest on account of the goods being damaged. The owners are plaintiff No.1. The Insurance Company being plaintiff No.2 is now claiming damages which they paid to the plaintiff No.1 from the carriers i.e. the defednants who are responsible for the goods being damaged.

3. In support of their claim, the plaintiffs have

filed the affidavit of evidence of Plaintiff No.2 and also produced the documents. On the basis thereof, the Plaintiffs are entitled for decree.

4. The learned Counsel for the Plaintiffs submit that decree be passed in favour of the Plaintiff No.2.

The Defendants shall pay to the Plaintiff No.2 a sum of Rs.3,88,902/- with interest thereon at 9% per annum from the date of the suit till today and at 6% per annum thereon i.e. Rs.3,88,902/- from today till realisation. The Defendants shall also pay to the Plaintiffs the costs of the suit.

Decree be drawn accordingly.

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(S.K.SHAH,J.)